

IN THE MICHIGAN COURT OF APPEALS
ORDER

Re: **In re Smith**
Docket No. **302304**
L.C. No. **07-000484-FY**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The original complaint for superintending control is **DISMISSED** for lack of jurisdiction. Plaintiff cannot properly commence an original action for superintending control against a district court in this Court because the circuit court has jurisdiction to entertain an original action for superintending control against a district court. MCR 3.301(A)(1); MCR 3.302(D)(1).

The motion for appointment of pauper counsel is **DENIED** as moot.

Plaintiff's affidavit of indigency is treated as a motion to waive fees and that motion is **GRANTED** for this case only.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAR 22 2011

Date

Larry S. Royster
Chief Clerk